

DETAILED ACTION

Priority

The instant application is a (371) U.S. National stage entry of PCT/JP04/14445 with an international filing date of 9/24/04, which claims foreign priority to JP 2003-334610 filed 9/26/03 (provided in Japanese only without translation, so this foreign priority remains unperfected).

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Warner on 10/19/09.

IN THE CLAIMS (as listed on pages 5-8 of the current amendment filed 8/13/09):

At each of **(A)** *claim 1/L9* and **(B)** *claim 10/L11*, change "increasing one side" to --increasing ~~one side~~ the length--, at both of occurrences in these currently amended claims.

At each of **(C)** *claim 1/L13* and **(D)** *claim 10/L13*, change "opening" to --opening, and wherein the fine light spot has a light intensity, which is not less than two times that of the standard square opening--, at both occurrences.

(E) *Cancel each of the remaining withdrawn claims 5-9.*

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(F) At *new claim 14/L1-2*, change “the length to width ratio is between 1.5 times and 2 times that of the standard square opening” to --the length to width ratio is ~~between~~ about 1.5 times ~~and 2 times~~ that of the standard square opening--.

IN THE SPECIFICATION (as represented in the *marked-up* substitute specification filed 8/13/09):

(G) At page 12 in paragraph [0053]/L5, change “square zero” to --square ~~zero~~ opening--.

(H) At page 21 in the rewritten *abstract*: (1) on L6, change “increasing one side” to --increasing ~~one side~~ the length--; and (2) on L9, change “opening.” to --opening, and where the fine light spot has a light intensity, which is not less than two times that of the standard square opening. This method is applicable in a corresponding near-field optical head, which can be included either in an optical microscope to observe a sample surface or in an apparatus for recording and reproducing with respect to a recording medium.--.

Conclusion and Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN RUGGLES whose telephone number is (571)272-1390. The examiner can normally be reached on Monday-Wednesday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Mark Huff can be reached on 571-272-1385. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark F. Huff/
Supervisory Patent Examiner, Art Unit 1795

/John Ruggles/
Examiner, Art Unit 1795